

DEFINITION
SDNY PRO SE OFFICE

UNITED STATES DISTRICT COURT 2022 NOV -3 PM 4:21
SOUTHERN DISTRICT OF NEW YORK

Jeremia Kuhapea
Kaambo

Write the full name of each plaintiff.

CV

(Include case number if one has been assigned)

-against-

The Office of the
United Nations
Secretary-General

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

COMPLAINT

Do you want a jury trial?

Yes No

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

- Federal Question
 Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

All right of our ancestral and constitutional are violated and need to be redressed in one ancient and modern way. see att JK ?

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, Jeremia Kuhape Kaambo is a citizen of the State of
(Plaintiff's name)

New York

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

Namibia

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, The Office of the,
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

Alien Political Asylum

If the defendant is a corporation:

The defendant, UN Secretary General, is incorporated under the laws of
the State of NY.

and has its principal place of business in the State of I

or is incorporated under the laws of (foreign state)

and has its principal place of business in New York.

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Jeremiia Kuhape Kaambo
First Name Middle Initial Last Name
73 East 128 street Apt s-03
Street Address
New York NY 10035
County, City State Zip Code
9142825237
Telephone Number
jkuhepa@gmail.com
Email Address (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

The Office of the United Nations

First Name

Last Name

Current Job Title (or other identifying information)

Secretary-General

Current Work Address (or other address where defendant may be served)

New York NY 10017

County, City

State

Zip Code

Defendant 2:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

Defendant 3:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

Defendant 4:

First Name _____ Last Name _____

Current Job Title (or other identifying information) _____

Current Work Address (or other address where defendant may be served) _____

County, City _____ State _____ Zip Code _____

III. STATEMENT OF CLAIM

Place(s) of occurrence:

Secretary-General failed SWA

Date(s) of occurrence:

11-03-2022

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

Authorless Exploitation of all mineral resources not qualified and the perpetrators not punished

Marine resources, the coasts nuclear and non-nuclear-fuels same

Cheap Labour and meagre payments

The list is attached

see att

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

We need complete medical treatment to even heal physical scars.

see att

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

The damages done and
relieves required should continue
to be given to restrain justice
till the afflicted and members.
see attachment

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

11-03-2022

Dated

Jeremi'a Kuhape

Plaintiff's Signature

Kaambo

First Name

Middle Initial

Last Name

73 East 128 Street

Apt 7503

Street Address

New York

NY

10035

County, City

State

Zip Code

9142825237

jkuhape@gmail.com

Telephone Number

Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

Yes No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

The Office of the United Nations Seretary-General

Secretary- General failed South West Africa/ Namibia dismally in favor of it's influencial western imperialist countries since the demise of German Imperial colonialism from 1915 - 1919 and from 1919- 1990 as well as through the period of the 32 years of the Ovambo secular Republic of Namibia.

°Ruthless exploitation of all mineral resources not qualified and the perpetrators not punished.

°Marine resources, the coals nuclear and non- nuclear fuels--tame

°Cheap labour and meagre payments.

2. Original policies and resolutions of education of nations of the League of Nations violated and deliberately neglected.

°UNO failed to establish education institutions for Namibians in Botswana, South Africa, Cameroon,Togo,West Samoa and the Carribbeans.

°The UN's inside and outside Namibia failed the security safety and education of women, children elderly, orphans and its member states while in exile.

3. The UN unlawfully incorporated Ovambo land Kavango and Zambesia (Caprivi ziped) into German South West- Africa without national referendums from the inhabitants of the German South West Africa with the aim of imposing elections in the future.

°The 1989 national and general elections was a planned scam to install western intelligence connected secret agents into power in Namibia.

4. Thus the de-recognition of present Namibia regime dissolution of parliament and abolishment of the constitution must not be debatable and the immediate hand- over of power to the original natives of former German South West Africa under China and Russia who were not part of the western scam.

5.The office of the Secretary- General of the UNO and it's UNSC must be obligated to appoint the AIS - Namibia and it's ally- the EMADEMA NAMIBIA to nominate the 7(seven) members Constituent Assembly to write the unitary federative Democratic Constitution of the Great United Namibia for people's power

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Which of your federal Constitutional or federal statutory rights have been violated?

All rights of our ancestral and constitutional are violated and need to be redressed in the ancient and modern way.

Complete land return recognition of our divine right on our land and community as well as the direct autonomous formation and governance of our unitary federative constituencies be restored.

The right to constitute the constituent assembly must be recognized and accorded.

Injuries

We need complete medical treatment to even heal physical scars.

The party that inflicted injuries on the other party must be held ever for treatment and healing of the inflicted party.

Furthermore the same party that inflicted injuries on the other must be obliged to continue being accountable for the spiritual healing of the immediate members of the party inflicted to avoid psychological trauma of the members of the party inflicted because of evil policies deeds and irresponsibility of the first party to erase the scars of afflictions.

Relief

The damages done and relieves required should continue to be given for restorative justice till the afflicted and members of the afflicted are completely healed and satisfied then forgiveness and peace between the two parties should ensue on equal bases with respect

UNION OF SOUTH AFRICA.

2017 0087 2

REPORT

ON THE

NATIVES OF SOUTH-WEST AFRICA

AND

THEIR TREATMENT BY GERMANY.

Prepared in the Administrator's Office, Windhuk,
South-West Africa, January 1918.

Presented to both Houses of Parliament by Command of His Majesty.
August, 1918.



LONDON:
PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE.

To be purchased through any Bookseller or directly from

thus it cost me 10 cows altogether. Just before the rebellion, in 1903, things got worse than ever. All traders came round and started to collect debts.

(Note.—This arose out of an Ordinance enacted in Berlin whereby outstanding trading debts were declared prescribed after a lapse of 12 months.)

Some debts they claimed had never existed; often their claims were quite false, and they were deliberately stealing our cattle. We complained to the German police, but were told that we were all liars and that, as a German could never lie, his word would always be taken even if half a dozen of us had the impudence to contradict him. This made us feel as if it were just as well not to be alive. Our people cried and lamented the loss of their stock; our poorer people no longer had enough milk to drink; all our cows were going and every month saw our property dwindle away. We saw our chiefs, who complained and complained till they were tired. No heed was taken of them, and we had no courts of law to which to appeal for justice.

(N.B.—This is actually true. There were no courts before July 1903.)

Headman Moses M'Buanjo of Omaruru, whose father M'Buanjo, an under-chief, was one of the wealthiest Hereros and owned several thousand cattle (he to-day owns 20 or 30 goats), states :—

Although we all protested and were dissatisfied, Germans came into our country, soldiers and traders. They soon began to do just what they pleased. They took our cattle, ill-treated our people, flogged them and we had no protection. It takes too long for me to tell all that they did. Their traders charged extortionate prices for goods and undervalued our stock. Our chiefs were powerless; our old laws and customs were no longer recognised; even the sacred cattle and the cattle of the tribe which no one could sell (the Eanda stock) were taken by force for real and bogus claims. Heavy interest was charged. If a debtor disputed the claim, the police came and assisted the trader.

Hosea Mungunda, headman of the Hereros of Windhuk, in giving a sworn statement as to the reasons for the great rebellion in 1904, places this taking of cattle first among their reasons. This man, one of the finest types of Bantu humanity, is a first cousin of the late chief Kamaherero.

The reasons for rebellion were :—

(a) The extortion of German traders who robbed us of our cattle, which had been greatly diminished owing to rinderpest. Our cattle were appropriated at such a rate that we felt it was intended to reduce us to pauperism. The Germans took sacred cattle and private cattle, quite regardless of our customs and organisation. We protested and complained bitterly, but the Germans took no notice. Sometimes we persuaded them to return our holy cattle, but then we had to give them three or four ordinary cattle in exchange. This we often did, but it greatly diminished our stock.

This affidavit by Hosea was made in the presence of the following leading Hereros, who agreed with Hosea's statement and signed the affidavit in corroboration:

- (1) Barmerias Zerua, son of the late chief of the Otjimbingwe Hereros,
- (2) Nickanor Kanungatji, nephew of the late chief Kahimema,
- (3) Leonard Gautheta, nephew of the late chief Nikodemus,
- (4) Hugo Tjetjoo, nephew of the late chief Tjetjoo,
- (5) Elias Gorambuka, nephew of the late chief Kamaherero,

and several others.

Samuel Kutako, a well-educated man, says :—

The German traders forced our people to buy goods and took our cattle in payment. They robbed our people by charging a certain price when giving credit, and later increasing the price when asking for payment. They used to select the cattle they wanted from the Hereros' herds and drive them away. It was useless to object. They simply took cattle by force. The police did not help us; we were black and got no justice. I have personally had to give a cow for a pair of cord trousers or a pair of boots. We had no idea of the value of goods in those days. . . . Nowadays I pay 10s. to 15s. for trousers. That is why I say the German traders robbed us. A cow is worth much more. . . . We used to beg and pray of the

Aminuis Reserve,
Windhoek, South West Africa.
August 7th 1947.

To the Paramount Chief,
Frederick Maherero
P. O. Mahalpye.
Bechuanaland Protectorate.

My Dear Chief,

I am very glad to take this opportunity of sending you affectionate and loyal greetings on behalf of the Herero people in South West Africa, and to say how much we welcome the renewed efforts which are being made to bring about your return to South West Africa, and the return of the lands belonging to us, and the people now in exile with you in Bechuanaland.

It has always been the boast of the Union Government that its policy is to permit the growth and development of the native people "along their own lines". Yet there is the persistent refusal to return our lands to us, while our people remain divided and scattered in reserves which are for the most part unproductive and unhealthy. This must be said also of the new lands which were offered to us in extension of the present reserves.

The division of our people has resulted in the breakdown of our tribal organization and has resulted, as it was intended to result, in making us the dependants of the white people on the farms and in the towns, rather than in asking us to make our own contribution to civilization in our own way.

I am glad also to take the opportunity of sending you various records of meetings and discussions which have taken place here recently with the friend whom you had sent to us.

In these records you will find some description of our present condition and our future hopes, as well as the reasons why we so enthusiastically support you in the appeal which you propose to make to the High Commissioner, Sir Evelyn Baring.

We heartily endorse the draft letter to Sir Evelyn Baring which has been read to us, and for our own part we are making a supporting appeal to Mr. Bottomley as representative of the British Government, and to the United Nations.

We pray that justice may be done, for your continued help, and, together with your people, a safe return to our own land.

May we, through you, convey our very sincere gratitude and greetings to Chief Tshekedi.

(Signed) Hosea KUTAKO.

Witnesses:

F. KANDJAU
C. Levy KATJITAE.

Réserve d'Aminuis,
Windhoek,
Sud-Ouest Africain,
7 août 1947.

Au Chef suprême
Frédéric Maherero,
P.O. Mahalpye,
Protectorat du Béchouanalnd.

Mon cher Chef,

Je suis heureux de saisir cette occasion pour vous envoyer mes loyales et affectueuses salutations au nom du peuple herero du Sud-Ouest Africain, et de vous dire combien nous accueillons avec enthousiasme les efforts renouvelés pour obtenir votre retour dans le Sud-Ouest Africain, ainsi que le retour de votre peuple qui vit en exil avec vous au Béchouanalnd, et la restitution des terres qui nous appartiennent.

Le Gouvernement de l'Union a toujours prévu que sa politique consistait à permettre la croissance et le progrès des indigènes "selon leurs propres principes". Cependant il refuse obstinément de nous restituer nos terres, et notre peuple reste divisé et épargillé dans des réserves qui sont, pour la plupart, improductives et malsaines. Il faut en dire autant des terres nouvelles qu'on nous a offertes en vue d'agrandir les réserves actuelles.

La ruine de notre organisation tribale a eu pour résultat la division de notre peuple et aussi, résultat que l'on escomptait, celui de nous rendre dépendants du peuple blanc dans les fermes et dans les villes, au lieu de nous permettre d'apporter, à notre manière, notre propre concours à la civilisation.

Je profite de l'occasion pour vous adresser les comptes rendus de diverses délibérations qui ont eu lieu récemment avec l'ami que vous nous avez envoyé.

Vous y trouverez une description de notre situation actuelle et de nos espoirs pour l'avenir, ainsi que les raisons pour lesquelles nous vous donnons notre appui enthousiaste dans la démarche que vous nous proposez de faire auprès du Haut-Commissaire, Sir Evelyn Baring.

Nous nous associons chaleureusement au projet de lettre à Sir Evelyn Baring dont lecture nous a été faite, et, de notre côté, pour appuyer votre demande, nous adressons un appel à M. Bottomley, représentant du Gouvernement britannique, ainsi qu'à l'Organisation des Nations Unies.

Nous prions pour que justice soit faite, pour que nous puissions bénéficier encore de votre secours et, conjointement avec votre peuple tout entier, pour votre retour sain et sauf dans votre patrie.

Veuillez transmettre nos salutations et l'expression de notre sincère gratitude au Chef Tshekedi.

(Signé) : HOSEA KUTAKO.

Témoins:

F. KANDJAU
C. Levy KATJITAE.

Note by the Secretary-General

The following communications relating to South West Africa are reproduced in accordance with the request of the Fourth Committee at its thirty-second meeting on 26 September 1947.

To the Secretary-General,
United Nations,
Lake Success,
United States of America.

RE: *petition by the Herero and other African native inhabitants of the Mandated Territory of South West Africa.*

Sir,

We earnestly request you to accept our enclosed petition and to lay same before the General Assembly, the Trusteeship Council or any other Committee or body of the United Nations charged with the duty of considering the proposal of the Union of South Africa for the annexation of the Mandated Territory of South West Africa into the State of the Union of South Africa.

We thank you Sir, for your assistance in bringing to the notice of delegates the representations made on this subject last year, report of which has reached us.

We thank you now in advance for your good offices on behalf of our Peoples in bringing this petition to the notice of the delegates of the various nations and all other bodies charged with the duty of dealing with this matter.

(Signed) HOSEA KUTAKO,
Headman at the Aminuis Reserve.
NIKANOR HOVEKA,
Headman at the Epukiro Reserve.

On behalf of the Herero people of South West Africa.

Dated at Gobabis, South West Africa,
August 25th. 1947.

The Secretary-General P.O. Box 8312.
United Nations, Johannesburg, S. Africa.
Lake Success, August 29th. 1947.
U.S.A.

Sir,

Before leaving South West Africa yesterday I was entrusted with the task of conveying to you a petition signed by the Chiefs and fifty leading members of the Herero people of South West Africa. I also gave my word that I would do my best to convey to you certain documents and statements made by signatories of this petition and of a supporting petition by the Chief of the Nama or Hottentot people of South West Africa, Capt. Witbooi, and others.

A copy of the actual petition is enclosed herewith, together with a covering letter from Chiefs

Note du Secrétaire général

Les communications qui suivent, relatives au Sud-Ouest Africain, sont reproduites conformément au vœu exprimé par la Quatrième Commission, lors de sa trente-deuxième séance, le 26 septembre 1947.

Au Secrétaire général
de l'Organisation des Nations Unies,
Lake Success,
Etats-Unis d'Amérique

RE: *Pétition par les Hereros et autres indigènes Africains du Territoire sous mandat du Sud-Ouest Africain.*

Monsieur,

Nous vous prions instamment d'agréer la pétition ci-jointe et de la soumettre à l'Assemblée générale, au Conseil de tutelle ou à toute autre commission ou organisme des Nations Unies chargé d'examiner le projet que forme l'Union Sud-Africaine d'annexer le territoire sous mandat du Sud-Ouest Africain.

Nous avons eu connaissance de l'aide que vous nous avez prêtée en communiquant aux délégués les observations présentées à ce sujet l'année dernière, et nous vous en remercions.

Nous vous exprimons à l'avance nos remerciements pour les bons offices que vous rendrez à nos peuples en portant cette pétition à la connaissance des représentants des diverses nations et des autres organismes chargés de s'occuper de la question.

(signé) Hosea KUTAKO,
Chef de la réserve à Aminuis.
Nikanor HOVEKA,
Chef de la réserve à Epukiro.

Au nom du peuple herero du Sud-Ouest Africain,

Datée: le 25 août 1947, à Gobabis, Sud-Ouest Africain.

P. O. Box 8312
Johannesburg S. Africa
29 août 1947

Au Secrétaire général des Nations Unies,
Lake Success, Etats-Unis d'Amérique

Monsieur,

Avant de quitter hier le sol du Sud-Ouest Africain j'ai été chargé de la mission de vous faire tenir une pétition signée par les chefs et 50 notables du peuple Herero du Sud-Ouest Africain. Je leur ai donné ma parole que je ferais de mon mieux pour vous transmettre certains documents ou déclarations émanant des signataires de cette pétition, ainsi qu'une pétition, rédigée à l'appui par le chef du peuple Nama ou Hottentot du Sud-Ouest Africain, Capitaine Withooi et autres.

Vous trouverez ci-joint la pétition herero avec une lettre d'envoi des chefs Hosea Kutako et Ni-

WB

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Headman at the Aminuis Reserve.
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(signé) Hosea KUTAKO,
Chef de la réserve à Aminuis.
Nikanor HOVEKA,
Chef de la réserve à Epukiro.

Au nom du peuple herero du Sud-Ouest Africain,

Datée: le 25 août 1947, à Gobabis, Sud-Ouest Africain.

P. O. Box 8312
Johannesburg S. Africa
29 août 1947

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Case 1:22-cv-09447-LTS Document 2 Filed 10/03/22 Page 18 of 25
Hosea Kutako, et al. demandent que l'ONU accorde des lettres des chefs Tshekedi Kama et Frederick Maherero au Haut Commissaire et de Hosea Kutako au Secrétaire du Gouvernement du Sud-Ouest Africain, appuyant la demande de la rétrocession des terres au peuple Herero, du retour du chef Frederick Maherero et des 10.000 Hereros encore en exil au Bechuanaland et la réinstallation de leurs communautés tribales.

The petition is signed on three separate documents by the respective groups of leaders, as the signing which I was asked to witness took place at three different centres namely Okahandja, Gobabis and Windhoek on account of the division of the tribe into various reserves and locations and the restrictions placed upon their movements from one to the other.

The other documents which I was entrusted with the task of conveying to you I hope to send or bring to New York by hand.

If it is necessary for the names of all signatories to the petition to be published, that should of course be done, but if the names of the Chiefs and Headmen only would suffice that would perhaps be preferable.

(Signed) Reverend Michael Scott.

To the Secretary General of the United Nations.

We the undersigned, being trusted and leading members of our community, namely the Hottentot or Nama people of South West Africa, humbly petition the United Nations not to allow the Territory of South West Africa to be incorporated into the Union of South Africa.

We support the petition of the Herero people for the return of their lands and of their Chief and people from exile, and we consider that the lands of other African people should be returned to them and the people protected from misrule.

We humbly request that a commission of enquiry be sent to South West Africa to see the conditions under which our people live before the claims of the Union Government to annex South West Africa are accepted by the United Nations.

In view of the aim of the Union Government to take possession of the country, and in view of the injustice of her rule over the African people, we consider that the control of the country should be taken away from the Union Government.

Signed at Gibeon, South West Africa. August 1947.

Capt. David WITBOOI.
Gibeon.
Raad So'omon WITBOOI.
Member of the Advisory Board.
Raad Willem FREDRIK.
Member of the Advisory Board.
Hendrik WITBOOI, 1.
Jeremias WITBOOI.
Hendrik WITBOOI, 2.
Solomon WITBOOI, 2.
David WITBOOI, 2.
Jan ISAAK.

Les signataires des trois groupes respectifs de notables figurent sur trois documents distincts du fait que ces signatures qu'on m'a prié de certifier comme témoin ont été apposées en trois lieux différents, nommés Okahandja, Gobabis et Windhoek, en raison du démembrement de la tribu en diverses réserves et des restrictions apportées à leur liberté de mouvements de l'une à l'autre.

J'espère vous envoyer ou vous apporter à New-York en mains propres les autres documents que j'ai été chargé de vous transmettre.

S'il est nécessaire de publier les noms de tous les signataires de la pétition, on peut naturellement le faire, mais si les noms des chefs et notables seuls pouvaient suffire; ce serait peut-être préférable.

(signé) : Réverend Michael Scott.

Au Secrétaire général de l'Organisation des Nations Unies.

Nous soussignés, notables accrédités de notre communauté, à savoir le peuple Nama ou Hottentot du Sud-Ouest Africain, demandons humblement à l'Organisation des Nations Unies de ne pas permettre que le territoire du Sud-Ouest Africain soit incorporé dans l'Union Sud-Africaine.

Nous appuyons la pétition du peuple Herero pour la rétrocession de ses terres et le retour d'exil de son chef et de ses populations, et nous estimons que les terres des autres populations africaines doivent leur être rendues et que ces populations doivent être protégées contre un mauvais gouvernement.

Nous demandons humblement qu'une commission d'enquête soit envoyée dans le Sud-Ouest Africain pour voir dans quelles conditions vivent nos peuples, avant que la demande de l'Union Sud-Africaine visant à annexer le Sud-Ouest Africain ne soit acceptée par les Nations Unies.

Etant donné l'intention du Gouvernement de l'Union Sud-Africaine de prendre possession de notre pays, étant donné l'injustice avec laquelle ce gouvernement exerce son autorité sur le peuple africain, nous estimons qu'il faudrait rester à l'Union Sud-Africaine tout contrôle sur ces pays.

Signé à Gibeon, Sud-Ouest Africain, août 1947

Capt. David WITBOOI.
Gibeon.
Raad Solomon WITBOOI.
Membre du Conseil consultatif.
Raad Willem FREDRIK.
Membre du Conseil consultatif.
Hendrik WITBOOI, 1.
Jeremias WITBOOI.
Hendrik WITBOOI, 2.
Solomon WITBOOI, 2.
David WITBOOI, 2.
Jan ISAAK.

pulled them out by means of the ox teams from the field pieces, but there was only a little stinking bloody water in the depths...

"At some distance crouched a crowd of old women, who stared in apathy in front of them... In the last frenzy of despair man and beast will plunge madly into the bush somewhere, anywhere, to find water, and in the bush they will die of thirst."

From that time onwards the Herero have been a landless, homeless people wandering in search of a place of abode for themselves, their children and their cattle.

At the end of the first World War the promises of a return to their native land where they could live as an united people were shamelessly disregarded and their hopes had become frustrated.

When the Mandate was established under the aegis of the League of Nations, their hopes revived but revived in vain.

Now after this Second World War and the birth of the United Nations, our hopes have been once more revived, and we pray the Nations of the World to have compassion on us and after considering this our petition to grant us such redress as in their wisdom they deem fit.

PETITION

Re: the claim of the Union of South Africa for the annexation of the Mandated Territory of South West Africa.

We frequently hear that the request for the annexation of South West Africa to the Union of South Africa comes from the native peoples of South West Africa.

At the outset we entirely repudiate this contention — in fact we say the opposite is the case. But we feel it would be fairer to the Nations represented at the United Nations, the Union Government, and ourselves if the United Nations were to send an impartial commission to enquire into and report upon this vital issue.

This is not the first occasion upon which such a request has been voiced by us.

At the time this issue was put to us by the Union Government, Chief Hosea Kutaku asked the Administrator:

"Do you mean that if I join my country to yours then these two countries will be one strong country?" The answer of the Administrator was "That is right." Hosea then said "The Germans told us that we should make a Union with them. But the Germans broke their promise and that proposal for a Union came to nothing. The agreement with the Germans came to nothing because there were no witnesses to the agreement. Now you have come to ask me for the incorporation of my country into yours while there are no impartial witnesses. I would like to have witnesses, please, if this question of incorporation is to be taken into consideration. But these witnesses must not be only from your own men. These witnesses should be composed

les dégagées au moyen des attelages de bœufs de nos pièces d'artillerie, mais il ne restait plus au fond des puits que la puanteur du sang . . .

"A quelque distance rampaient des vieilles femmes qui nous regardaient passer d'un œil sans regard . . . Dans un dernier sursaut de désespoir, hommes et bêtes avaient plongé follement dans la brousse, à la recherche d'un peu d'eau, pour y mourir de soif."

Depuis cette époque, les Hereros ont été un peuple sans foyers, errant à la recherche d'un coin où s'abriter avec leurs enfants et leurs bêtes.

A la fin de la première guerre mondiale, on leur avait promis le retour à la terre natale pour y vivre en nation unie; cette promesse n'a pas été tenue et leurs espoirs ont été déçus.

Quand le mandat fut établi sous l'égide de la Société des Nations, leurs espoirs renaquirent mais en vain.

Aujourd'hui, après la deuxième guerre mondiale et la fondation de l'Organisation des Nations Unies, nos espoirs renaissent de nouveau et nous prions les nations du monde d'avoir pitié de nous, et après examen de notre pétition, de nous accorder les justes réparations que leur inspirera leur sagesse.

PÉTITION

Objet: Prétention de l'Union Sud-Africaine à annexer le territoire sous mandat du Sud-Ouest Africain.

Nous entendons souvent dire que les indigènes du Sud-Ouest Africain demandent l'annexion de leur pays à l'Union Sud-Africaine.

Tout d'abord, nous dénions entièrement cette allégation; en fait, elle est exactement contraire à la vérité. Nous estimons qu'il serait juste envers les nations représentées aux Nations Unies, envers l'Union Sud-Africaine, et envers nous-mêmes que l'Organisation des Nations Unies envoie une commission impartiale pour faire une enquête et un rapport sur cette question vitale.

Ce n'est pas la première fois que nous avons exprimé cette prière.

Lorsque la question nous a été soumise par le Gouvernement de l'Union par l'entremise de son administrateur, le chef Hosea Kutaku lui a posé la question suivante:

"Estimez-vous que si j'unis mon pays au vôtre, nos deux pays formeront une unité puissante? L'administrateur ayant répondu affirmativement, Hosea dit alors: "Les Allemands nous avaient dit aussi que nous devions former une union avec eux; mais ils violèrent leurs promesses, et leur projet d'union n'aboutit à rien, parce que l'accord conclu avec eux n'eut pas de témoins. Vous venez maintenant me parler de l'incorporation de mon pays dans le vôtre en dehors de la présence de témoins impartiaux. J'aimerais en avoir, si cette question d'incorporation devait être sérieusement envisagée. Mais ces témoins ne devraient pas être uniquement choisis parmi des gens de chez vous; ils devraient l'être parmi les nations qui ont gagné

ward of the African races, and really do no know what good they would derive from the United Nations, with the result that they say 'We know this boss, we do not know the other boss.' That is the way the consultation took place in Ovamboland. The people were simply asked whether they wanted to remain as they are or whether they wanted some other boss, whom they did not know. They were not told anything about the United Nations."

(f) *Another account runs:-*

"Major Hahn, who... conducted the referendum in Ovamboland, was the Chief Native Commissioner and Magistrate for Ovamboland. It must be explained that the people are living in the tribal system there, and are uneducated people, and they see few white men besides Major Hahn. He went to them and asked them whether they wanted their present boss or whether they would like there to be a change. Major Hahn did not explain to the people what the United Nations is, or what a 'change' would mean. He did not explain that the ideal of the United Nations is that people should be educated and encouraged to develop themselves until they can conduct their own affairs; that in the Union the laws are just made and the African people must then adapt themselves to those laws. They know nothing about voting or the franchise, these Ovambo people have come to take it for granted that they should always be ruled by white people, and it was not explained to them what the difference might be between coming under the Union and coming under any other possible alternative whereby the people could be raised and eventually taught to rule themselves."

This account, it may be noted, concludes:

"After the United Nations session last year, the Additional Native Commissioner, Mr. Allen, came and held a meeting in Windhoek at which he said that if the United Nations took over the Government of South West Africa, it would mean that the people from these countries, such as the Indians, for example, would be able to come to South West Africa, and that the Indians, who could live on the smell of oil on a rag — just the smell of oil he said could make them live —, would come to South West Africa and take away the trade and livelihood of the Europeans and Africans."

(g) *Chief Hosea spoke at length dealing in detail with the Union native policy and concluded:*

"It is the unfair treatment by the Union Government that compels us not to take their side. And we shall never want the Union Government".

The Hereros were told that General Smuts and his delegates would convey their views to the United Nations, and that Chief Hosea and three other Hereros would not be allowed to represent the Hereros at the United Nations, but we find our views were not laid before the United Nations in 1946, and hence we now send this petition direct to the United Nations as we claim we are entitled to do.

ne savent pas le bien qui pourrait leur advenir de l'intervention des Nations Unies. Leur raisonnement est le suivant: "Nous connaissons ce patron, nous ne connaissons pas l'autre". Voici comment on les a consultés: en leur demandant s'ils préféraient être maintenus dans la situation actuelle ou bien s'ils voulaient une autre administration — inconnue d'eux. On ne leur a pas soufflé mot de l'Organisation des Nations Unies."

f) *Un autre rapport déclare:*

"Le major Hahn qui a dirigé le référendum dans le pays des Ovambo était le Commissaire en chef de l'administration indigène dans ce pays. Les habitants, qui vivent sous le régime tribal et ne sont pas instruits, voient peu d'hommes blancs à part le major Hahn. Il leur a demandé s'ils préféraient garder leurs maîtres actuels ou bien s'ils voulaient en changer. Le major Hahn ne leur a pas expliqué ce que signifierait "changer", ni ce qu'était l'Organisation des Nations Unies. Il ne leur a pas dit que l'idéal de l'Organisation des Nations Unies est d'instruire les peuples et de les encourager à se développer pour être capables de se gouverner eux-mêmes; il ne leur a pas dit que dans l'Union Sud-Africaine la loi est imposée et que les indigènes doivent s'y adapter. Les Ovambo n'ont jamais entendu parler d'élection ni le droit de vote; ils croient qu'ils devront toujours être administrés par des Blancs; on ne leur a jamais expliqué la différence entre tomber sous la loi de l'Union Sud-Africaine ou choisir une autre alternative leur permettant de s'élever et d'apprendre éventuellement à se gouverner eux-mêmes."

Ce rapport conclut en ces termes qu'il faut noter:

"Après les débats aux Nations Unies l'année dernière, un commissaire adjoint aux affaires indigènes, M. Allen, tint une réunion à Windhoek, et déclara que si les Nations Unies se chargeaient de l'administration du Sud-Ouest Africain, cela signifierait que des gens de tous pays, des Hindous par exemple, pourraient venir dans le Sud-Ouest Africain et que les Hindous, qui peuvent vivre en humant simplement l'odeur de l'huile sur un chiffon, accapareraient tout le commerce et tous les moyens d'existence des Européens et des Africains."

g) *Le chef Hosea a traité longuement la question de la politique indigène de l'Union et a conclu:*

"C'est l'attitude déloyale du Gouvernement de l'Union qui nous a déterminés à ne pas nous ranger de leur côté, et nous ne le ferons jamais".

On a fait accroire aux Hereros que le général Smuts et ses délégués appuieraient leurs vues auprès de l'Organisation des Nations Unies, et que le chef Hosea et trois autres Hereros auraient la permission de représenter leur tribu à l'Organisation des Nations Unies; mais nous nous sommes aperçus que rien n'avait été transmis en notre nom à l'Organisation des Nations Unies en 1946; c'est pourquoi nous adressons maintenant cette pétition directement à l'Organisation des Nations Unies, ainsi que nous nous jugeons en droit de le faire.

"When we asked permission to send a cable, we were told that this could not be allowed, as General Smuts would convey our words to the United Nations. Nevertheless we sent the cable, and Hosea was not only publicly rebuked, but was pressed to give his oath that he would never do such a thing again. When asked if he had taken such oath he replied: "No, I could not take such an oath. That would have been to make me blind and deaf and dumb for them to lead me where they wanted me to go. They call me Chief, but I am not free to go anywhere. I must have a permit every time."

When on 26 May 1947 Mr. Nester, the Secretary of the South West Africa Government, publicly rebuked Hosea, he said: "I am dissatisfied with you. But I did not come for war. But I am dissatisfied with you because you go behind the back of the Government. You write letters behind the Government's back. You send telegrams as well. You do these things without the permission of the Government." To this, one of the Herero spokesmen replied: "We did not go behind the Government's back, but we asked permission from the Government. We were denied that permission. But if the rain falls, and one is outside one's house, naturally one has to seek for shelter. So I sought for shelter, because the Government did not grant me shelter."

We are thankful that on 14 December 1946 the General Assembly of the United Nations recommended that the mandated Territory of South West Africa be placed under the international trusteeship system and we pray in humble gratitude and anticipation that this may now be done.

Ejection from Tribal Land

Only part of the land occupied by the Hereros at the time of the German Occupation of South West Africa is shown in the map in the British Blue Book, (Cd.9146 of 1918). The Germans decimated the Herero People (from 80,000 in 1904 to 15,130 in 1911: *vide* Page 35 of the above Blue Book) and confiscated their cattle.

After the 1914-1918 war, the Herero People were given the following places for their occupation: Okatumba, Orumba, Waterberg, and Okakurame; but later the people were ordered to remove from these places and, when they refused, their houses were burnt down.

At the following places which they also occupied after the 1914-1918 war, the windmills were made useless so that the people were forced to leave through lack of water: Okakurame, Otjirunde, Pepperkorn, Tsaitos, Klein Tsaitos and Otjinbondona. When this was done, the people started to trek with their cattle and with their women and children. One group went under Chief Hosea and set out to cross the Kalahari into Bechuanaland and the other group went under Nikaner Hoveka. The group which went under Chief Hosea was stopped at Aminuis by the Assistant Native Commissioner (Mr. Cope), and told that they should not come to Bechuanaland, but should occupy that place.

Many of the cattle died of thirst on the way. The lands from which they were removed were given to European settlers mostly from the Union

Quand nous avons demandé l'autorisation d'envoyer un câblogramme, on nous l'a refusée en alléguant que le général Smuts transmettrait nos vœux aux Nations Unies; néanmoins nous avons envoyé le câblogramme. Non seulement notre chef Hosea a été publiquement blâmé, mais il fut sommé de jurer de ne jamais recommencer. Quand on lui a demandé s'il avait accepté de faire ce serment, il répliqua: "Non, je ne pouvais prêter ce serment, qui me rendrait sourd et aveugle, de sorte qu'on pourrait me mener où l'on voudrait. Ils me saluent du nom de chef, mais je ne suis pas libre de mes mouvements, et chaque fois que je veux me déplacer, il me faut un sauf-conduit."

Lorsque M. Nester, Secrétaire du Gouvernement du Sud-Ouest Africain, prononça un blâme public à l'endroit de Hosea le 26 mai 1947, il déclara: "Je suis mécontent de vous, cependant je ne suis pas venu vous faire la guerre. Je suis mécontent de vous parce que vous avez agi derrière le dos du Gouvernement, en envoyant des lettres et même des télégrammes sans la permission du Gouvernement". Ce à quoi un des notables Hereros répondit: "Nous n'avons pas agi derrière le dos du Gouvernement. Nous lui avons demandé l'autorisation, elle ne nous fut pas accordée: mais si la pluie tombe et qu'on soit dehors, on cherche tout naturellement un abri. Et comme le Gouvernement ne m'accordait pas d'abri, j'en ai cherché un".

Nous sommes reconnaissants à l'Assemblée générale de l'Organisation des Nations Unies d'avoir recommandé le 14 décembre 1946 que le territoire sous mandat du Sud-Ouest Africain soit placé sous le Régime international de tutelle, et nous faisons des prières, avec toute notre gratitude anticipée, pour que cela puisse se réaliser.

Les Hereros expulsés des terres de leur tribu.

Une partie seulement du pays occupé par les Hereros à l'époque de l'occupation allemande du Sud-Ouest Africain est indiquée sur la carte dans le Livre bleu britannique (Cd. 9146 de 1918). C'est que les Allemands ont décimé le peuple Herero (qui comptait 80.000 têtes en 1904, et 15.130 seulement en 1911, voir page 35 du Livre bleu), et qu'ils ont confisqué leur bétail.

Après la guerre de 1914-1918, les Hereros ont été autorisés à occuper les endroits suivants: Okatumba, Orumba, Waterberg et Okakurame; mais on leur a ordonné ultérieurement de les évacuer, et quand ils refusaient, on brûlait leurs maisons.

En d'autres endroits qu'on leur avait également permis d'occuper après la guerre de 1914-1918, on mit hors d'usage les moulins à vent et les puits artésiens, de sorte que la population fut obligée de partir en raison du manque d'eau; il en fut ainsi à Okakurame, Otjirunde, Pepperkorn, Tsaitos, Klein Tsaitos et Otjinbondona. C'est ainsi que la tribu dut s'en aller avec son bétail et avec femmes et enfants. Un groupe suivit le chef Hosea pour aller à travers le désert de Kalahari dans le Bechuanaland, et un autre groupe suivit le chef Nikaner Hoveka. Le groupe Hosea fut arrêté à Aminuis par le Commissaire adjoint aux affaires indigènes, M. Cope, qui lui interdit d'aller au Bechuanaland et lui enjoignit de rester là.

La plupart des bestiaux étaient morts de soif pendant le trajet. Les terres d'où venaient les émigrés furent données à des colons européens

together with the windmills which the people had erected. No compensation was paid to them for their losses.

Also the Union Government gave the fertile land of the Hereros to the Anglo-Boers from Angola in preference to the Hereros.

During the early part of the 1914-1918 War, the Hereros were promised that if they engaged in military service with the Union troops and the Germans were defeated, their country would be restored to them. In view of this promise, Chief Samuel Maherero, our Paramount Chief, who was in exile in the Transvaal at that time, sent two of his sons, including Frederick, at present the only surviving son and heir, to lead and exhort the Hereros to fight. On account of that, many of our people were shot, and some were hanged by the Germans.

Further, on the conclusion of peace, Lord Buxton, the Governor General of the Union, visited South West Africa. He addressed the natives at all important centres, and on each occasion promised the Hereros the return of their land.

It is our sad duty to inform the United Nations that none of these promises has been fulfilled.

Reinstatement on Tribal Land.

It is our desire that our people be reunited, and that their tribal organization be re-established on our traditional lands, and for this we now earnestly petition the United Nations.

We attach copies of letters to the Secretary of the Government of South West Africa and to the Secretary for Commonwealth Relations signed by Chief Hosea, together with copies of letters by Chief Frederick Maherero to the Bechuanaland Protectorate Government, under cover of a letter from Chief Tshekedi, in whose country he has found refuge.

We also attach copies of letters, one being written by one of us to our exiled Chief and another being his reply thereto.

Union's Native Policy.

It is frequently reported in the Press of the Union, and recently supported by prominent British statesman, that the treatment of the Natives in South West Africa is satisfactory.

We only wish they could speak from their own experience as Natives of South West Africa regarding indentured, convict and child labour, pass laws, lack of educational and health services etc. and the wholesale breaking-up of family life leading to the same state of despair and frustration that exists amongst any landless people without any status or opportunity for economic, social or other development.

It is this native policy of the Union which causes Africans in South West Africa, the Union and the Bechuanaland Protectorate to unite in protest against the annexation of South West Africa.

venant en majeure partie de l'Union Sud-Africaine; on leur donna aussi les moulins qui restaient debout et qui avaient été construits par les indigènes. Aucune compensation ne fut donnée à ces derniers.

Le Gouvernement de l'Union fit don également des terres fertiles des Hereros à des Boers de l'Angola.

Au début de la guerre de 1914-1918, on a promis aux Hereros que, s'ils s'enrôlaient dans les troupes de l'Union et si les Allemands étaient vaincus, leur patrie leur serait restituée. Vu ces promesses, le chef Samuel Maherero, notre chef suprême qui était en exil dans le Transvaal à l'époque, envoya deux de ses fils (l'un d'eux, Frederick, qui seul survit aujourd'hui, est l'héritier du nom) exhorte les Hereros au combat et prendre leur commandement. Le seul résultat, c'est que beaucoup de nos gens furent tués au combat et que d'autres furent pendus par les Allemands.

Plus tard, à la conclusion de la paix, Lord Buxton, Gouverneur général de l'Union Sud-Africaine, vint visiter le Sud-Ouest Africain. Il fit des allocutions aux indigènes dans tous les centres importants et promit chaque fois aux Hereros que leurs terres leur seraient restituées.

C'est un triste devoir pour nous que de faire savoir à l'Organisation des Nations Unies qu'aucune de ces promesses n'a été tenue.

Réinstallation sur les terres ancestrales.

Nous désirons que notre peuple soit uni à nouveau et que soit rétablie son organisation tribale sur nos terres traditionnelles; c'est pourquoi nous présentons instamment cette pétition à l'Organisation des Nations Unies.

Nous joignons la copie de lettres au Secrétaire du Gouvernement du Sud-Ouest Africain et au Secrétaire des relations avec le Commonwealth, signées par le chef Hosea, ainsi que la copie de lettres du chef Frederick Maherero au Gouvernement du protectorat du Bechuanaland, sous couvert du chef Tshekedi, dans le pays duquel il a trouvé refuge.

Nous joignons également copie d'une lettre écrite par l'un de nous à notre chef exilé, et de sa réponse.

La politique indigène de l'Union.

On déclare fréquemment dans la presse de l'Union, et récemment même un éminent homme d'Etat britannique a soutenu, que la façon dont les indigènes du Sud-Ouest Africain sont traités est satisfaisante.

Nous voudrions qu'ils puissent parler d'après leur expérience personnelle, en natifs du Sud-Ouest Africain, au sujet des contrats de travail, du travail forcé, du travail des enfants, des lois sur la circulation, du manque d'hygiène et d'écoles, et de la ruine totale de la vie familiale; toutes ces conditions aboutissant à un état de désespoir et de frustration qui est le lot des hommes sans terre et sans statut leur permettant de se développer au point de vue économique et social ni à aucun autre point de vue.

C'est la politique indigène de l'Union qui détermine les Africains du Sud-Ouest Africain, de l'Union et du protectorat du Bechuanaland à s'unir pour protester contre l'annexion du Sud-Ouest Africain.

Rather than reiterate the well-known facts and figures concerning the Union's native policy, we have asked for an impartial commission from the United Nations to investigate and report how far and to what extent and with what effects this repressive policy is being enforced in South West Africa.

Conclusion.

The Union's Administration of the Mandate has proved disastrous for the native peoples of South West Africa. And we petition that South West Africa should not remain under the Union as a mandate Territory, but that it should be placed under the international trusteeship system in such manner as seems good to the General Assembly of the United Nations.

Failing that, we pray it should become a British Protectorate like Bechuanaland, and failing that, we ask that it be placed under the protection of the United States of America.

Should South West Africa become annexed to the Union of South Africa, the native policy of the Union Government to keep the African in permanent servitude will never be brought to an end.

(Signed) Hosea KUTAKO,
Headman of the Aminuis Reserve.
Nikanor HOVEKA,
Headman of the Epukiro Reserve.

[The petition was also signed by 14 native residents at Gobabis on 25 August 1947, by 16 native residents at Okahandja on 24 August 1947 and by 17 native residents at Windhoek on 21 August 1947.]

APPENDIX I

Aminuis Reserve,
P.O. Gobabis,
South West Africa,
August 9th, 1947.

The Secretary,
The Government of South West Africa,
Government Buildings,
Windhoek.

Dear Sir,

I am writing to support the claim made by our Paramount Chief, Frederick Maherero, for the return of the lands belonging to the Herero people from the Mandatory Power, the Government of the Union of South Africa, and shall be glad if you will forward this letter to the Government of the Union.

Despite the fact that our people have been divided, and are compelled to live in separate reserves, and that they enjoy no freedom of movement, it is my considered conviction that this represents the wish of the Herero people living in South West Africa, and that under these circumstances I am entitled to write on their behalf.

I believe that it is also their wish that our Paramount Chief, Frederick Maherero, who is now in exile in Bechuanaland, and those who are in exile with him, should now return to South West Africa, together with their cattle and possessions and that the tribe should be re-

Plutôt que de répéter encore une fois, à propos de la politique indigène de l'Union, des faits et des chiffres bien connus, nous demandons à une commission impartiale de l'Organisation des Nations Unies de faire une enquête et de rédiger un rapport, pour établir dans quelle mesure et avec quels résultats cette politique de répression est appliquée au Sud-Ouest Africain.

Conclusion.

L'administration du mandat de l'Union s'est avérée désastreuse pour les indigènes du Sud-Ouest Africain. Nous demandons que le Sud-Ouest Africain ne reste pas un mandat de l'Union, mais qu'il soit placé sous le régime de tutelle internationale de la façon qui paraîtra la meilleure à l'Assemblée générale des Nations Unies.

A défaut, nous demandons que notre pays soit un protectorat britannique comme le Bechuanaland, ou à défaut, qu'il soit placé sous la protection des Etats-Unis d'Amérique.

Si le Sud-Ouest Africain devait être annexé à l'Union Sud-Africaine, il ne sera jamais possible de mettre fin à la politique indigène poursuivie par l'Union aux fins de maintenir l'Africain dans une servitude permanente.

(Signed) : Hosea KUTAKO,
Chef de la réserve d'Aminuis.
Nikanor HOVEKA,
Chef de la réserve d'Epukiro.

[La présente pétition a été également signée par 14 indigènes résidant à Gobabis, le 25 août 1947; par 16 indigènes résidant à Okahandja, le 24 août 1947 et par 17 indigènes résidant à Windhoek, le 21 août 1947.]

APPENDICE I.

Réserve d'Aminuis,
P.O. Gobabis,
Sud-Ouest Africain,
9 août 1947.

Au Secrétaire
du Gouvernement du Sud-Ouest Africain
Services du Gouvernement,
Windhoek.

Monsieur,

Je vous écris pour appuyer la demande formulée par notre chef suprême, Frédéric Maherero, en vue d'obtenir de la Puissance mandataire la restitution au peuple herero des terres qui lui appartiennent. Je serais heureux qu'il vous puisiez transmettre cette lettre au Gouvernement de l'Union.

En dépit du fait que notre peuple ait été divisé et que nous soyons obligés de vivre dans des réserves séparées, sans jouir de la liberté de nos mouvements, j'ai la ferme conviction que cette demande exprime le vœu du peuple herero tout entier, et que, dans ces conditions, je suis habilité à écrire en son nom.

J'ai la conviction également que c'est son voeu unanime de voir notre chef suprême Frédéric Maherero, actuellement en exil dans le Bechuanaland, et ceux qui sont en exil avec lui, revenir dans le Sud-Ouest Africain, avec leur bétail et leurs biens et la tribu réorganisée et réunie.

assembled and reunited on the lands belonging to them, and that the tribal organization should be re-established.

I feel it my duty again to appeal for a Commission representative of the five great Powers to be sent to this country to investigate the reasons why we and other African people have refused to countenance the incorporation of this Territory into the Union of South Africa, and why we are now asking that the Territory be placed either under a Mandatory body appointed by the United Nations or should be placed under the protection of the British or United States Government.

Finally, since the assumption of the Mandate by the Union Government did not make the native inhabitants of South West Africa thereby nationals of the Union (Wright, page 461), we are at a loss to know to whom final appeals can be made for permission for our representatives to proceed overseas to state our case. The Union Government refused our application to send delegates last year to represent our case, and with all due respect we lack confidence that our case was adequately represented for us by the Union Government's representatives, despite the assurance we were given that this would be done.

We are still of the opinion that South West Africa should not be incorporated into the Union, and that if a referendum were to be conducted, this should be conducted by an impartial body. We should like to have permission to send our representatives overseas to express our attitude in this connexion, even though they may not be able to attend the session of the United Nations Assembly.

Finally, since the Union Government has not accepted the recommendations of the United Nations regarding the mandated Territory; and now that the League of Nations has ceased to exist, we are at a loss to know whose wards we are, and to whom final appeals can be addressed now that our right to petition the League has also ceased.

I respectfully take leave to enclose herewith a letter which I have addressed to Mr. Bottomley, the Parliamentary Secretary for Commonwealth Relations.

(Signed) Hosea KUTAKO

Witnesses:

F. KANDJAU
C. Levy KATJITAE.

APPENDIX II.

Aminuis Reserve.
South West Africa.
August 7th, 1947.

The Parliamentary Secretary,
For Commonwealth Relations.
c/o Government Buildings,
Windhoek, South West Africa.

Dear Sir,

On behalf of the Herero people I must respect-

les terres qui lui appartiennent, sous le régime tribal traditionnel.

Il est de mon devoir de lancer un appel pour qu'une commission de représentants des cinq grandes Puissances soit envoyée dans ce pays en vue d'enquêter sur les raisons pour lesquelles nous avons refusé d'approuver l'incorporation de notre territoire dans l'Union Sud-Africaine, et pour lesquelles nous demandons que ce territoire soit placé, ou bien sous une administration mandatée par les Nations Unies, ou bien sous la protection du Gouvernement britannique ou américain.

Enfin, étant donné que la décision confiant le mandat à l'Union Sud-Africaine n'a pas fait des indigènes du Sud-Ouest Africain des ressortissants de l'Union (Wright, page 461), nous ne savons pas à qui en appeler pour obtenir l'autorisation d'envoyer nos représentants outre-mer afin d'exposer notre cas. Le Gouvernement de l'Union s'est opposé l'année dernière à ce que nous envoyions des délégués, et, malgré tout le respect que nous lui devons, nous avons perdu confiance et ne croyons pas que le Gouvernement de l'Union ait présenté nos intérêts de façon adéquate, en dépit des assurances qu'il nous avait données à ce sujet.

Nous estimons toujours que le Sud-Ouest Africain ne doit pas être incorporé dans l'Union et que, si un référendum devait avoir lieu, il devrait être contrôlé par un organisme impartial. Nous aimerais être autorisés à envoyer nos délégués outre-mer pour exposer notre attitude en la matière, même s'il ne nous était pas permis d'assister à une session de l'Assemblée des Nations Unies.

Enfin, vu que le Gouvernement de l'Union n'a pas accepté les recommandations de l'Organisation des Nations Unies concernant le territoire sous mandat, et que d'autre part la Société des Nations a cessé d'exister, nous ne savons vraiment pas sous la tutelle de qui nous nous trouvons, ni à qui adresser nos appels depuis que nous ne jouissons plus du droit de pétition à la Société des Nations.

J'ai l'honneur de joindre à la présente une lettre que j'ai adressée à M. Bottomley, Secrétaire parlementaire des relations du Commonwealth.

(signé) : Hosea KUTAKO.

Témoins:

F. KANDJAU
C. Levy KATJITAE.

APPENDICE II.

Réserve d'Aminuis,
Sud-Ouest Africain
7 août 1947.

Au Secrétaire parlementaire
pour les relations avec le
Commonwealth, services du
Gouvernement,
Windhoek, Sud-Ouest Africain.

Monsieur,

Au nom du peuple herero, je me permets de

country to address to you as representing the British Government an appeal which we have already made to the mandatory Power for the return of our lands in South West Africa, and for the return from exile in Bechuanaland of our Paramount Chief, Frederick Maherero, together with the Herero people at present living in Bechuanaland.

We would also like to ask for your advice in connexion with our application for permission to send representatives to place our case before the representatives of the other nations of the world. So long as the League of Nations existed, we retained the right to petition the League, and, as has been pointed out (Wright, page 461) the native inhabitants of South West Africa did not become Union nationals when the Union assumed the Mandate of South West Africa.

Under present circumstances, we are at a loss to know whose wards we are now. The League of Nations has ceased to exist, and the Union Government has not accepted the recommendations of the United Nations.

Also, we must beg to call your attention to the fact that despite the assurance of the representatives of the Union Government that our case would be fully represented by the Union Government's spokesmen at the United Nations Assembly, we do not feel confident that this was adequately done. It is our opinion that the Union Government, by reason of its treatment of the African people, both in the Union and in South West Africa, has now forfeited all moral right and claim to continue exercising the Mandate over South West Africa and we would ask for your support of our application to send representatives overseas to state our case.

Also, through you, we would respectfully ask for the support of the British Government in our appeal for the return of our lands and for the return of our Paramount Chief and people now in exile in Bechuanaland. Documents relevant to these appeals will be forwarded to you in due course.

My people have confidence in the sense of justice of the British people and Government, and it is our prayer to God that His truth and justice may be served in this matter.

(Signed) Hosea KUTAKO
Headman, Aminuis Reserve.
South West Africa.

Witnesses:

F. KANDJAU
C. Levy KATJITAE.

APPENDIX III

9th August, 1947.

His Excellency,
Sir Evelyn Baring, K.C.M.G.,
Bechuanaland Protectorate.

Subject: Herero Affairs

My Friend,

It has always been the wish of the Herero peoples in South West Africa to get me back as the Chief of all the Herero tribes. Recently I

sence dans ce pays pour vous adresser, en votre qualité de représentant du Gouvernement britannique, un appel que nous avons déjà adressé à la Puissance mandataire: il s'agit de la restitution de nos terres du Sud-Ouest Africain et du retour d'exil de notre chef supérieur Frédéric Maherero avec sa tribu vivant actuellement au Béchouanaland.

Nous voudrions aussi vous demander votre avis au sujet de la demande que nous avons faite, d'être autorisés à envoyer des représentants pour exposer notre cas devant les délégués des autres nations du monde. Tant que la Société des Nations existait, nous avions le droit de pétition à la Société des Nations, et comme on l'a souligné (Wright page 461), les indigènes du Sud-Ouest Africain ne sont pas devenus des ressortissants de l'Union quand celle-ci a été chargée du mandat sur le Sud-Ouest Africain.

Dans ces conditions, nous ne savons pas sous la tutelle de qui nous nous trouvons actuellement. La Société des Nations a cessé d'exister et le Gouvernement de l'Union n'a pas accepté les recommandations de l'Organisation des Nations Unies.

Nous avons également l'honneur d'attirer votre attention sur le fait qu'en dépit des assurances des représentants du Gouvernement de l'Union Sud-Africaine, d'après lesquelles notre cause serait intégralement et fidèlement exposée par les porte-parole du Gouvernement de l'Union devant l'Assemblée des Nations Unies, nous doutons que cet engagement ait été tenu. Nous estimons que le Gouvernement de l'Union, par la façon dont il a traité le peuple africain, à la fois dans l'Union et dans le Sud-Ouest Africain, a perdu moralement le droit de continuer à exercer son mandat sur le Sud-Ouest Africain, et nous demandons votre aide pour soutenir notre demande d'envoyer des délégués outre-mer pour exposer notre cas.

Par votre intermédiaire, nous demandons respectueusement l'appui du Gouvernement britannique pour la restitution de nos terres et pour le retour d'exil de notre chef et de notre peuple actuellement au Béchouanaland. Des documents relatifs à cette question vous seront adressés en temps voulu.

Mon peuple met sa confiance dans le sentiment de la justice qui anime le peuple et le Gouvernement britanniques, et nous prions Dieu que Sa vérité et Sa justice soient observées dans cette affaire.

(Signé): Hoséa KUTAKO,
Chef de la réserve d'Aminuis,
Sud-Ouest Africain.

Témoins:

F. KANDJAU
C. Levy KATJITAE.

APPENDICE III.

9 août 1947

A Son Excellence,
Sir Evelyn Baring, K.C.M.G.,
Protectorat du Béchouanaland.

Objet: La question des Hereros.

Mon ami,

Ce fut toujours le vœu du peuple herero du Sud-Ouest Africain de m'y voir revenir en qualité de chef de toutes les tribus hereros. J'ai reçu